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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,489	12/26/2000	Alan T. Yaung	STL000044US1	5889

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SUGHRUE, MION, ZINN, MACPEAK, SEARS, PLLC
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EXAMINER

NGUYEN, VAN H

ART UNIT PAPER NUMBER

2126

DATE MAILED: 02/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n No.

09/750,489

Applicant(s)

YAUNG, ALAN T.

Examiner

VAN H NGUYEN

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to amendment A filed on December 11, 2003. Claims 1-28 are presented for examination.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 28 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. As to claim 28, "the group" lacks antecedent basis. Claim 28 has no "a group" term that defines or supports the given reference.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

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subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by **Sikora et al.** (U.S.6,563,836).

7. **As to claim 1**, Sikora teaches the invention substantially as claimed a method for communication between a first computer and a second computer, each of which is connected to a server computer (*abstract and fig.1*), the method comprising:

under control of a first application at the first computer (*202; fig.6*),

creating a message (*transaction message; fig.6*), wherein the message comprises at least one out of a group of: an event notification with zero text and zero content identifier, a text message, and a content identifier (*a transaction type of each transaction message; col. 1, lines 45-55; col.8, line 52-col.8, line 32; and fig.6*); and

putting the message into a message queue (*Transaction messages are queued within a plurality of queues of a queuing mechanism according to a transaction type of each transaction message, each queue of the plurality of queues be dedicated to queuing transaction messages of a respective transaction type col. 1, lines 45-55; col.8, line 52-col.8, line 32; and fig.6*); and under control of a second application at the second computer, retrieving the message from the message queue (*fig. 7 and col. 10, lines 10-47*) .

8. **As to claim 2**, Sikora teaches text comprises a string of alphanumeric characters (*col.10, line 57-col.11, line 47*).

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9. **As to claim 3**, Sikora teaches a content identifier comprises an item identifier and a server name (col.4, lines 17-50).
10. **As to claim 4**, Sikora teaches the message comprises an event notification with zero text and zero content identifiers (*col.6, lines 11-58*).
11. **As to claim 5**, Sikora teaches the message comprises text with zero content identifiers (col.10, line 57-col.11, line 47).
12. **As to claim 6**, Sikora teaches the message comprises zero text and one or more content identifiers that represent items in a data store connected to the server computer (*col.3, lines 7-34*).
13. **As to claim 7**, Sikora teaches the message comprises an object (*abstract*).
14. **As to claim 8**, Sikora teaches the message is put into the message queue via a method of a class (*abstract and col.1, lines 45-55*).
15. **As to claim 9**, Sikora teaches the message is retrieved from the message queue via a method of a class (fig. 7 and col. 10, lines 10-47).
16. **Claims 10-18** are directed to an apparatus for performing the method of claims 1-9, and are similarly rejected under the same rationale.
17. **Claims 19-27** are directed to a program storage medium for implementing the method of claims 1-9, and are similarly rejected under the same rationale.
18. **As to claim 28**, the rejection of claim 1 above is incorporated herein in full. Claim 28, however, further recites the body of the message comprises at least one out of a group of: an event notification with zero text and zero content identifier, a text message, and a content identifier.

Sikora teaches the body of the message comprises a text message (e-mail; col.10, line 57- col.11, line 47 and fig. 8).

Response to Arguments

19. Applicant's arguments filed on December 11, 2003 have been fully considered, but are deemed to be moot in view of the new grounds of rejection necessitated by Applicant's amendments.

Conclusion

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(x). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(x).

21. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

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will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H NGUYEN whose telephone number is (703) 306-5971.

The examiner can normally be reached on Monday-Thursday from 8:30AM - 6:00PM. The examiner can also be reached on alternative Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703) 305-9678.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9000.


Any response to this action should be mailed to:

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

or fax to:

(703) 746-7239 (for formal communications intended for entry)
(703) 746-7238 (for After Final communications)
(703) 746-7240 (for informal or draft communications)

VHN
February 14, 2004


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